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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

29 FEDERAL TRADE COMMISSION,

Case No. 3:23-cv-02880-JSC

30 Plaintiff,

**DECLARATION OF ALYSHA BOHANON  
IN SUPPORT OF ADMINISTRATIVE  
MOTION TO SEAL PORTIONS OF  
MICROSOFT'S ANSWER**

31 v.  
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33 MICROSOFT CORPORATION and  
34 ACTIVISION BLIZZARD, INC.,

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38  
Dept.: Courtroom 8—19th Floor  
Judge: Honorable Jacqueline S. Corley

39 Defendants.

1 I, Alysha Bohanon, hereby declare under penalty of perjury that the following is true and correct:

2 1. I am an Associate at Wilkinson Stekloff LLP and am counsel for Defendant Microsoft  
3 Corporation (“Microsoft”) in the above-captioned matter. I submit this declaration in support of  
4 Microsoft’s Administrative Motion to Seal Portions of Microsoft’s Answer (“Administrative Motion”).  
5 In my role, I have personal knowledge of Microsoft’s use and protection of non-public, highly sensitive,  
6 and confidential business information, including the information at issue here.

7 2. I have personal knowledge of the facts set forth in this Declaration and, if called as a  
8 witness, could and would competently testify to them.

9 3. I have reviewed and am familiar with Microsoft’s Answer, which contains information  
10 designated by Microsoft as “Confidential.”

11 4. As set forth in the Administrative Motion, certain limited portions of the Answer contain  
12 non-public and highly sensitive information, including, but not limited to, information reflecting  
13 Microsoft’s internal decision-making processes, investment decisions, assessment of the competitive  
14 landscape, strategic evaluation of forward-looking opportunities, business partnerships, existing  
15 confidential agreements, and internal discussions of business strategy.

16 5. This information could be used to injure Microsoft if made publicly available, and it  
17 would cause competitive harm to Microsoft if the above information was publicly disclosed. For  
18 example, disclosure of this information would give Microsoft’s competitors insight into Microsoft’s  
19 strategies, plans, and assessments regarding potential opportunities, and those competitors may alter their  
20 strategic plans or offerings if they knew Microsoft’s strategies and plans. Disclosure of this information  
21 would also harm Microsoft by allowing its competitors to circumvent the time and resources expended  
22 by Microsoft in developing its internal practices and strategies. Disclosure of this information would  
23 further harm Microsoft’s negotiating position with its business partners.

24 6. Microsoft takes robust measures to maintain the confidentiality of all the above-described  
25 information, including limiting internal disclosure of some of this information to persons on a need-to-  
26 know basis, and does not disclose it publicly. All of this information was designated as confidential  
27 pursuant to Section 21 of the FTC Act, 15 U.S.C. § 57b-2, and/or as Confidential pursuant to the  
28 Protective Order Governing Confidential Material entered on December 9, 2022 in *In the matter of*

1 *Microsoft Corp. & Activision Blizzard, Inc.* Docket No. 9412 (FTC). This information is also  
2 Confidential under the operative protective order in this case (ECF Nos. 115-1, 170). For these reasons,  
3 Microsoft respectfully requests that the Court order the portions set forth in its Administrative Motion  
4 to be sealed.

5 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
6 and correct to the best of my knowledge.

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8 Dated: July 3, 2023

/s/ Alysha Bohanon

Alysha Bohanon

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